



United States Mission to the OSCE

Response to the European Union's Statement on the Death Penalty

As delivered by Chargé d'Affaires Kyle Scott
to the Permanent Council, Vienna
July 23, 2009

Thank you, Madam Chairwoman.

We want to thank the European Union for its expression of concern regarding the death penalty in the United States.

The use of the death penalty in the United States is a decision of democratically elected governments at the federal and individual State levels—it is not prohibited by international law. Capital punishment does not violate any OSCE commitments. The people of the United States, acting through their freely elected representatives, have chosen, in most States, not to abolish the death penalty.

In terms of the specific case of Mr. Keene, whose execution reportedly marked the 1,000th execution by lethal injection since the death penalty was reinstated in 1976, we would like to note that Mr. Keene was a 36-year-old man who killed six people in a killing spree in Lucasville, Ohio in December 1992, including an 18-year-old mother gunned down at a pay phone. Mr. Keene was convicted in five of the six murders, and chose not to file a late appeal over his death sentence.

The U.S. judicial system provides exhaustive protections to ensure that the death penalty is not applied in an extra-judicial, summary, or arbitrary manner. The U.S. Supreme Court has repeatedly held that capital punishment itself does not violate the U.S. Constitution. However, capital punishment may only be carried out subject to the extensive due process and equal protection requirements and after exhaustive appeals.

Madam Chairwoman, the issue of the imposition of the death penalty continues to be the subject of vigorous and open discussion among the American people.

Thank you, Madam Chairwoman.